



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

FEB - 6 2002

Mr. Christopher J. Widman
Alliant Techsystems Inc.
Twin Cities Arsenal
New Brighton, MN 55112

Ref. No. 01-0235

Dear Mr. Widman:

This responds to your letter requesting an exception to transport waste water samples as "Not Regulated" under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). You provided copies of previous interpretations issued to other shippers of "identical materials," except for the size of the packaging and the volume of the preservative. You seek relief from the requirements under the HMR for packaging, marking, and labeling waste water samples as Class 8 (corrosive) materials.

Alliant Techsystems, Inc., currently transports "Waste Water Samples," preserved with various amounts and concentrations of Class 8 (corrosive) materials. These materials are shipped as limited quantities under the exception for corrosive materials in § 173.154(a)(2), and are not eligible for the small quantities exception in § 173.4. In a subsequent telephone conversation with Helen Engnum, a member of my staff, you clarified that you are requesting an exception from the HMR for waste water samples: 1) In 40 ml, 500 ml, and 1000 ml inner containers; 2) In a volume of 1.0% concentration of preservative; and 3) With a pH range from 0 to 12. You asked that the materials listed below be excepted from the HMR. The materials are as follows:

<u>Hazardous Materials</u>	<u>Size of Inner Containers</u>
Hydrochloric acid (HCl) in water at concentrations of 1.0% by weight or less	40 ml, 500 ml, and 1000ml
Nitric acid (HNO ₃) in water at concentrations of 1.0% by weight or less	500 ml and 1000ml
Sulfuric acid (H ₂ SO ₄) in water at concentrations of 1.0% by weight or less	500 ml and 1000ml
Sodium hydroxide (NaOH) in water at concentrations of 1.0% by weight or less	500 ml and 1000ml



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You did not provide sufficient information (e.g., corrosivity data) to support an exception from regulation under the HMR. Based on the information you provided, it is our opinion that the preservatives in water solutions in the concentrations listed above meet the definition of Class 8 (corrosive) materials. In addition, waste water samples that have a pH range of 2 or less or 11.5 or greater are classified as a Class 8 (corrosive) in accordance with "OECD Guideline For Testing of Chemicals (See §§ 173.136 and 173.137). Therefore, the waste water samples indicated above, containing the various concentrations of corrosive materials, are subject to the HMR and may not be shipped "Not Regulated" for purposes of transportation.

I hope this satisfies your inquiry.

Sincerely,

A handwritten signature in cursive script, appearing to read "Delmer F. Billings".

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards

ALLIANT TECHSYSTEMS

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30 August 2001

US Department of Transportation
Office of Hazardous Materials Standards
Mr. Edward Mazzullo - DHM-10
400 Seventh Street SW
Washington DC 20590

Engrum
§173.136

Exception/Classification
01-0235

Dear Mr.

Alliant Techsystems (ATK) is requesting an exception to transport Waste Water Samples as "Not Regulated" per 49CFR. It has been verified that the DOT has offered relief from 49CFR for transporting waste water samples to two (2) other companies. ATK is aware that there are many transporters of waste water samples in the country. ATK is seeking relief from 49CFR relative to packaging, marking, and labeling our waste water samples as Class 8, Corrosive Materials.

In addition, ATK is requesting that we be authorized to transport these waste water samples in larger containers, with a higher ratio of preservatives (corrosives) then what was previously approved.

BACKGROUND

ATK currently transports Waste Water Samples preserved with a very small volume of various Class 8, Corrosive materials. ATK is presently transporting these waste water samples as Class 8, Corrosives.

ATK has obtained DOT documentation issued to other transporters of identical materials who have been given exception from 49CFR.

ATK wishes to also obtain exception (transport as not regulated) for the same materials. We also wish to notify your office of our intent to receive authority to transport as not regulated in containers larger than previously approved, and also containing higher volume of various preservatives.

Attachment A contains correspondences between your office and the following two (2) transporters of waste water samples.

US DOT letter dated November 7th, 2000
TO: National Oceanic & Atmospheric Administration
QAR Laboratories
P/MEL
Seattle Washington

US DOT letter dated December 13th, 1993
To: GTEL Environmental Laboratories, Inc.
Wichita Kansas

As can be seen in these approvals, the DOT authorized exception to HMR: 49CFR parts 171-180 for transporting the following:

HO1 in water with concentrations of 0.04% by weight, or less
HgCl₂ in water in concentrations of 0.004% by weight or less.
HNO₃ in water at concentrations of 0.15% by weight or less.
H₂SO₄ in water at concentrations of 0.35% by weight or less
NaOH in water at concentrations of 0.080% by weight or less.
H₃PO₄ in water at concentrations yielding a pH range between 4 and 2.

ATK's REQUEST

ATK requests your office authorizes exception from 49CFR parts 171-180 to ATK for the same various Class 8 corrosive materials, with the following additions.

- 1) Increasing the maximum size of the containers from 500-ml to 1000-ml
- 2) Authorize an increase in the volume of preservatives used to a 1.0% maximum for all candidates.
- 3) Offer relief from samples with a now pH range from 4 to 2, to a pH range from 0 to 12.